

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:05CR3039
)	
v.)	
)	
THOMAS E. MILLER,)	ORDER
)	
Defendant.)	

The defendant has been remanded to the custody of the Attorney General for an evaluation of his mental status. Until that matter is completed, sentencing in this case should be postponed. Therefore,

IT IS ORDERED that:

1. The sentencing hearing scheduled for January 16, 2008 is cancelled. Sentencing will be rescheduled when appropriate.
2. Judge Piester *and* counsel for the government shall notify me when the evaluation of the defendant is completed and the defendant may sentenced.
3. My judicial assistant shall provide Judge Piester with a copy of this memorandum and order so that he may be advised to track the progress of the defendant.
4. I acknowledge defense counsel's statement of position (filing 112) and the difficulty that counsel have encountered in complying with the sentencing scheduling order. I am prepared to give counsel the relief they seek in the last sentence of paragraph 5 of that statement should counsel expressly seek leave to raise additional objections, motions or sentencing factors following completion of the evaluation.

December 14, 2007.

BY THE COURT:

s/Richard G. Kopf
United States District Judge